

consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond, conditioned that the oil be removed from the cans and disposed of in compliance with the law, under the supervision of the Food and Drug Administration.

6780. Misbranding of salad dressing. U. S. v. 4 Cases of Salad Dressing. Default decree of condemnation and destruction. (F. D. C. No. 11962. Sample No. 66057-F.)

LIBEL FILED: March 8, 1944, Southern District of New York.

ALLEGED SHIPMENT: On or about December 6, 1943, by the House of Herbs, Inc., Canaan, Conn.

PRODUCT: 4 cases, each containing 12 pints, of salad dressing at New York, N. Y. Analysis showed that the product contained about 65 percent by volume of mineral oil.

LABEL, IN PART: (Front bottle label) "Sylph Low Calorie Salad Dressing. Calories Per Fluid Ounce Only 0.9 Contains 68% non-nutritive mineral oil by weight, herb-flavored wine vinegar, fresh herbs, salt, pepper, sugar, shallots, garlic, mustard Benzoate of soda. House of Herbs, Inc. Canaan, Conn. One Pint"; (back bottle label) "Sylph French Dressing."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the designation "French Dressing" was misleading since French dressing is a definite type of salad dressing containing a vegetable oil as an ingredient, and not mineral oil, which has no food value; and the following statements which appeared on the labeling of the article, "Shake very vigorously and frequently while pouring over salad. Sylph has side tricks too. Excellent sprinkled over roasts before putting in oven. Try a few drops in hamburger, and on fish before broiling. Also use as a base for Barbecue Sauce," were misleading since such statements created the impression that the article consisted of food ingredients and was suitable for use on foods, whereas the article contained mineral oil, a non-nutritive substance not suitable for use on foods; Section 403 (b), the product was offered for sale under the name of another article, "French Dressing"; and, Section 403 (f), the statements of ingredients and of the quantity of the contents, required to appear on the label, were not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) as to render them likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: April 7, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6781. Misbranding of salad dressing. U. S. v. 115 Cases of Salad Dressing. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 11571. Sample No. 55263-F.)

LIBEL FILED: On or about January 10, 1944, District of Oregon.

ALLEGED SHIPMENT: On or about September 28, 1943, by the Barra Co., from Beverly Hills, Calif.

PRODUCT: 115 cases, each containing 24 bottles, of salad dressing at Portland, Oreg.

LABEL IN PART: (Bottles) "Barra's Figurene Salad Dressing."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the name "Salad Dressing" was misleading since it represented and suggested that the product consisted of food ingredients, whereas the article contained mineral oil, a non-nutritive substance which was not an expected constituent of the product; and, Section 403 (b), it was offered for sale under the name of another food.

DISPOSITION: July 12, 1944. The Barra Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

MISCELLANEOUS FOODS

6782. Misbranding of Bing's Compound. U. S. v. 52 Cartons of Bing's Compound (and 1 other seizure action against Bing's Compound and 263 circulars). Default decrees of condemnation and destruction. (F. D. C. Nos. 11202, 12152. Sample Nos. 38481-F, 55066-F, 55067-F.)

LIBELS FILED: December 10, 1943, and May 5, 1944, Northern District of Indiana and Northern District of Illinois.

ALLEGED SHIPMENT: From on or about August 4 to September 28, 1943, by the Bing Co., from Minneapolis, Minn.